

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Securities and Exchange Commission,	:	
	:	
Plaintiff,	:	
	:	No. 22-cv-03216 (RA)
-v-	:	
	:	
Moshe Strugano and Rinat Gazit,	:	<u>[SECOND PROPOSED] CASE</u>
	:	<u>MANAGEMENT PLAN AND</u>
Defendants.	:	<u>SCHEDULING ORDER</u>
	:	
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RONNIE ABRAMS, United States District Judge:

Pursuant to Rules 16-26(f) of the Federal Rules of Civil Procedure, the Court hereby adopts the following Case Management Plan and Scheduling Order:

1. All parties do not consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. For avoidance of doubt, the parties consent to conducting discovery-related proceedings before a United States Magistrate Judge, in accordance with 28 U.S.C. § 636.
2. The SEC and Moshe Strugano have engaged in settlement discussions. The SEC and Rinat Gazit have begun to discuss settlement.
3. This case is to be tried to a jury.
4. No additional parties may be joined after 60 days from the date of this Order without leave of the Court.
5. No amendments to the pleadings may be made after 60 days from the date of this Order without leave of the Court.
6. Initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure shall be completed no later than July 26, 2023.
7. All fact discovery is to be completed no later than 240 days from the date of this Order. Any discovery that could have been completed by this deadline but for motion practice in this Court or in a foreign jurisdiction will be permitted upon resolution of any such motion.

8. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided that the parties meet the deadline for completing fact discovery set forth in ¶ 8 above.
 - a. Initial requests for production of documents shall be served by August 1, 2023.
 - b. Interrogatories shall be served by September 6, 2023.
 - c. Fact depositions shall be completed by 60 days before the fact discovery cutoff.
 - d. Requests to Admit shall be served no later than 30 days after the close of expert discovery.
9. All expert discovery, including disclosures, reports, production of underlying documents, and depositions shall be completed by 120 days after the close of fact discovery.
10. All discovery shall be completed no later than 90 days after the close of expert discovery. Any discovery that could have been completed by this deadline but for motion practice in this Court or in a foreign jurisdiction will be permitted upon resolution of any such motion.
11. The Court will conduct a post-discovery conference on _____ at _____. [To be completed by the Court.] No later than one week in advance of the conference, the parties are to submit a joint letter updating the Court on the status of the case, including but not limited to whether any party intends to file a dispositive motion and what efforts the parties have made to settle the action.
12. Unless otherwise ordered by the Court, the joint pretrial order and additional submissions required by Rule 6 of the Court's Individual Rules and Practices shall be due thirty (30) days from the close of discovery, or if any dispositive motion is filed, thirty (30) days from the Court's decision on such motion. This case shall be trial ready sixty (60) days from the close of discovery or the Court's decision on any dispositive motion.
13. Counsel for the parties propose the following alternative dispute resolution mechanism for this case:
 - a. X Referral to a Magistrate Judge for settlement discussions.
 - b. Referral to the Southern District's Mediation Program. [*Note that all employment discrimination cases, except cases brought under the Fair Labor Standards Act of 1938, 29 U.S.C. § 201 et seq., are designated for automatic referral to the Court's Alternative Dispute Resolution program of mediation. Accordingly, counsel in such cases should select 13(b).*]

c. Retention of a private mediator.

The use of any alternative dispute resolution mechanism does not stay or modify any date in this Order.

14. The parties have conferred and their present best estimate of the length of trial is 5 days.

SO ORDERED.

Dated:

New York, New York

Ronnie Abrams
United States District Judge